



Minutes City Council Issue Review Session December 4, 2003

Thursday, December 4 2003, 6:00 p.m., in the City Council Chambers, Tempe City Hall, 31 E. Fifth Street, Tempe, Arizona.

COUNCIL PRESENT:

Mayor Neil Giuliano
Vice Mayor Barbara Carter
Councilmember P. Ben Arredondo
Councilmember Dennis Cahill
Councilmember Len Copple
Councilmember Pamela Goronkin
Councilmember Mark Mitchell

Mayor Giuliano called the meeting to order at 6:00 p.m.

Call to the Audience - No one came forward to speak.

Rock 'n Roll Marathon Update

INFORMATIONAL BACKGROUND

The Rock and Roll Marathon event scheduled for January 11, 2004 is exceeding expectations for a successful event. More than 22,000 runners have already pre-registered making this the largest inaugural race in the history of this event. It is reasonable to assume based on this initial success that this will become one of the largest annual events of this kind in the country.

Staff will be present at the December 4th IRS to discuss event progress and potential impacts of the traffic control necessary to assure a safe and successful event.

DISCUSSION - Presenters: City Manager Will Manley; Public Works Manager Glenn Kephart; Recreation Supervisor Travis Dray

Will Manley summarized the logistics of the event including currently 22,000 registered runners. A conservative estimate for revenue for Tempe is \$4.7M. The promotional budget for the company that produces this event is over \$1M and ads have been running in international publications. Fox SportsNet will have a local telecast.

Glenn Kephart outlined the race route and associated traffic impacts and he noted that there will be public

notification by the City and the event promoter.

Travis Dray summarized the events and concerts at the Tempe Beach Park following the race.

There was general discussion regarding:

- Number of people attending
- Lane/street closures
- Publicizing information about the race route
- Street signs/electronic billboards

CONSENSUS

- **Approved as presented.** Staff should work with promoter and use City resources, including street-side message displays, to get as much publicity as possible re: traffic/bus changes for that morning.
- **Council also asked for another update in January before the event.**

Follow-up Responsibility: Glenn Kephart

Sidewalk Vending Ordinance

INFORMATIONAL BACKGROUND - Background available in City Clerk's Office.

DISCUSSION - Presenters: Downtown Vending Committee Chair Jim Cristea; Financial Services Manager Jerry Hart

Councilmember Goronkin stated that this came through the Finance/Diversity Committee and the goal is to make this process easier for applicants and to cut down on the red tape.

There was discussion regarding:

- existing businesses/encroachment permits
- new process
- right-of-way issues
- downtown entertainers

CONSENSUS

- **Proceed with recommended changes to ordinance and streamlining of process and place on future consent agenda for formal Council vote.**
- **Approved moratorium on pushcart vending RFPs and street entertainer permits until revised ordinance/changes are put into effect.**

Follow-up Responsibility: Jim Cristea

Martinez Water Treatment Plant Expansion Update

INFORMATIONAL BACKGROUND - Background information available in City Clerk's Office.

DISCUSSION - Presenters: Water Utilities Department Manager Tom Gallier; Deputy Water Utilities Manager Don Hawkes

Tom Gallier narrated a PowerPoint presentation, regarding:

- overhead map of the Martinez water plant – explanation of changes
- chemical building renovations, chemical process changes
- Marigold Lane access, Canal Park access and addition of restroom
- proposed new route to Water Administration Building

There was general discussion regarding: the proposed new route to the Water Administration Building, security for the new facility, connection to the trailhead, environmental concerns, and employee and public parking issues.

CONSENSUS

- **Approved “green line” alignment of new 60” water line from Martinez Plant to College/Curry and use of up to \$250K savings from that alignment on additional enhancements and recreational/educational programs associated with the project.**
- **Also approved new access road through Eisendrath property to Water Administration Building at the Martinez plant. Staff should bring together stakeholders to discuss concepts for the driveway entrance, and bring concept back to Council for further discussion.**

Follow-up Responsibility: Tom Gallier

Neighborhood Planning

INFORMATIONAL BACKGROUND - At the August 22, 2003 City Council Advance, Councilmember Goronkin suggested that neighborhood planning efforts should be reviewed to determine if more resources should be devoted to neighborhood planning. The full Council concurred that this topic should be referred to the Council's NEPIP Committee. At their September 15, 2003 meeting the NEPIP committee recommended the following proposal (excerpted from the staff memo of September 12, 2003) be brought to the full Council:

The City will hire a consultant to design a neighborhood plan for a specific neighborhood and use that planning process as a template for other neighborhoods. One possible area that could be studied is the Northwest Tempe area that underwent an unconcluded planning process.

Staff recommends that this option would involve the Neighborhood Advisory Commission (NAC) to provide input and guidance on how a neighborhood planning process should be developed and/or criteria for hiring a consultant. Either the Development Services Department of the Neighborhood Services Division could oversee a consultant or neighborhood planning staff person.

Fiscal note: *no funds have been budgeted for a consultant.*

Staff is requesting Council direction to hire a consultant to design a neighborhood plan for a specific neighborhood and use that plan as a template for other Tempe neighborhoods.

Implementation issues for consideration:

- A. Contingency funds, in an amount ranging from \$50,000 to \$100,000 would have to be used to fund this process.

- B. Neighborhood Services would oversee the participatory element of the proposed neighborhood planning process to ensure comprehensive and inclusive public involvement meeting the expectations of Tempe residents.
- C. Neighborhood Services Division provides support staff for the Neighborhood Advisory Commission and would serve as a liaison linking the Commission to the consultant
- D. Development Services would oversee the proposed technical planning aspects to ensure that City planning staff would be able to implement the template once the consultant's contract is completed.

DISCUSSION - Presenters: Neighborhood Services Director Maryanne Corder; Development Services Manager Melanie Hobden

MaryAnne Corder summarized that this item was referred from the Neighborhood Enhancement/People Improvement Program Committee and involves the hiring of a consultant to design a neighborhood plan for a specific neighborhood and use of that plan as a template for other neighborhoods. Staff would be involved with the participatory element to ensure inclusivity and staff would tap into the expertise of City departments.

Mayor Giuliano stated that the City has been experimenting on how to work these neighborhood planning issues and this is the next step in the process.

CONSENSUS - Proceed with hiring consultant and use of contingency funds, as recommended.
Follow-up Responsibility: Maryanne Corder

Transit Capital Projects Update

INFORMATIONAL BACKGROUND - available in City Clerk's Office.

DISCUSSION - Presenter: Deputy Public Works Manager Mary O'Connor; Transit Administrator Carlos DeLeon

Mary O'Connor summarized that this item comes forward from the Transportation/Light Rail and Development Services Committee. She narrated overhead slides showing the Transit Center, including a possible addition of child care space.

Carlos DeLeon narrated overhead slides on the Regional Bus Operations and Maintenance Facility:

- accommodate 250 buses with maintenance space and operations offices and parking for transit employees
- proposed site of 20 acres on the west side of 52nd Street where it transitions into Rio Salado Parkway
- three phases of development
- funding through Federal and local funds

CONSENSUS - Proceed as presented on the 5th Street Transit Center and Regional Bus Operations/Maintenance Facility.

Follow-up Responsibility: Mary O'Connor

Consent/Non-Consent Agenda Items

Item #62 – Desert Subway Inc. v. City of Tempe

BACKGROUND INFORMATION:

The Court has issued a preliminary injunction in the above matter, requiring that the City allow Subway to utilize its yellow and white exterior signs, to the extent the colors are part of Subway's trademark. This decision is in conflict with the City's current sign regulations. However, as part of the zoning code rewrite, the proposed new sign ordinance does not require that uniform colors be used, only that the signs are in conformity with an approved sign package. We believe that we have several grounds on which we can appeal the decision, and have placed on the December 4, 2003 Non-Consent Council Agenda, a request for authorization to appeal the Court's decision. However, in light of the proposed changes to the sign ordinance, we would like the opportunity to discuss with Council whether an appeal is necessary now.

DISCUSSION - Presenter: City Attorney Marlene Pontrelli

Marlene Pontrelli summarized that this issue is on tonight's Consent Agenda regarding whether to appeal the preliminary injunction that has been issued in the Subway matter. In the next few months, recommendations will be brought forward for rewrites to the sign ordinance which could moot this issue. The injunction allows Subway to use its yellow and white registered trademark. The proposed rewrite in the zoning ordinance would indicate that an applicant is required to have an approved sign package, only with respect to color. There are still limitations in terms of size, location, etc. There are several technical grounds upon which a valid appeal could be based.

Mayor's Announcements – None.

Manager's Announcements – None.

MEETING ADJOURNED AT 7:20 p.m.

Kathy L. Matz
City Clerk